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4 JESSICA T. CANNON-PEREZ,
5 Plaintiff,
6 v.
7 MARTIN J. O'MALLEY, et al.,
8 Defendants.

9 Case No. 23-cv-05508-DMR
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13 **ORDER GRANTING MOTION TO
14 REMAND CASE PURSUANT TO
15 SENTENCE FOUR OF 42 U.S.C. §
16 405(G)**

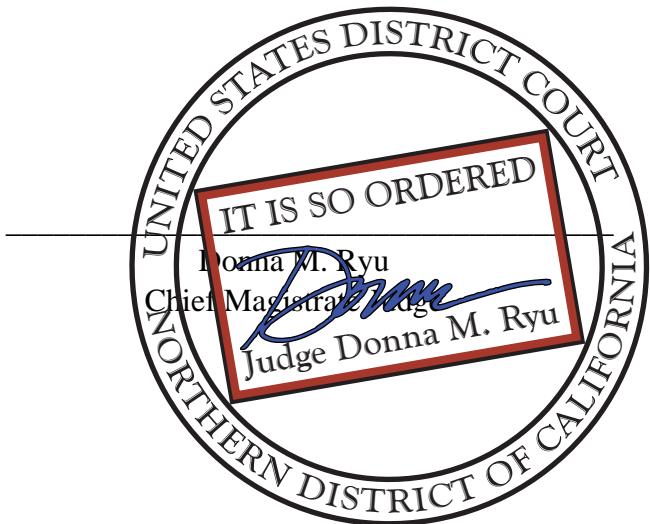
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18 Self-represented Plaintiff Jessica T. Cannon-Perez filed the complaint in October 2023
19 seeking judicial review of a final decision by Defendant Commissioner of Social Security. On
20 January 10, 2024, Defendant moved for voluntary remand of this case for further administrative
21 proceedings. Specifically, Defendant asks the court to send Plaintiff's case back to an
22 Administrative Law Judge for a new hearing and decision on her claim for benefits, and to enter
23 judgment in Plaintiff's favor reversing the Commissioner's final decision. [Docket No. 7.] After
24 Plaintiff did not respond to Defendant's motion, the court ordered Plaintiff to file a response
25 stating whether she agrees to the relief Defendant requests. [Docket No. 8.] Plaintiff filed a
26 response in which she requests "full back pay . . . starting when [she] first applied for" Social
27 Security benefits. [Docket No. 9.] The court then set a briefing schedule on Defendant's motion
28 to remand. [Docket No. 10.]

Defendant timely filed a brief requesting remand on the ground that the Administrative
Law Judge's decision "is not supported by substantial evidence." Defendant argues that remand
for further administrative proceedings, instead of an immediate award of benefits, is appropriate
under the applicable legal standard. [Docket No. 11.] Plaintiff filed a response in which she
appears to acknowledge receipt of Defendant's brief. However, she does not address the

1 arguments in Defendant's brief or explain why remand for an immediate award of benefits is
2 appropriate. [Docket No. 12.] Accordingly, Defendant's motion for remand is granted. The
3 Commissioner's final decision is reversed and this matter is remanded for further administrative
4 proceedings. The clerk shall enter judgment in Plaintiff's favor and terminate the case.

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6 **IT IS SO ORDERED.**

7 Dated: October 31, 2024



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United States District Court
Northern District of California